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APR - 8 2004

**OFFICIAL** PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: KFOURY ET AL. )  
 )  
Appl. No. 09/941,521 ) Examiner J. Chiang  
 )  
Confirm. No. 7363 ) Art Unit 2642  
 )  
Filed: 29 August 2001 ) Atty. Docket No. CS10289  
 )  
Title: "Electronic Device With Rotatable Keypad And Display"

**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
Alexandria, Virginia 22313-1450

Sir:

The following Declaration and any attachments are to establish conception in the United States of claimed subject matter in the referenced patent application and diligence to the filing of the referenced patent application on 29 August 2001 from a date prior to the effective date of United States Patent No. 6,593,914, which was filed in the United States on 31 October 2000 by Nuovo et al. and relied upon by the Examiner to support rejections under 35 U.S.C. 102(e) and 35 USC 102(e)/103(a) in an Office Action dated 3 March 2004.

In support of this Declaration, We, Tony N. KFOURY, Lisle, Illinois, Minh H. DUONG, Lake Bluff, Illinois, Michael D. HARENG, Lake In The Hills, Illinois, and John F. ROBIN, Westmont, Illinois, declare and sayeth the following:

That we conceived the claimed subject matter of the referenced patent application in the United States before 31 October 2000, the effective date of United States Patent No. 6,593,914, to Nuovo et al., in the course of employment by Motorola

KFOURY ET AL.  
"Electronic Device With Rotatable  
Keypad And Display"  
Atty. Docket No. CS10289

Declaration Under 37 CFR 1.131  
Appl. No. 09/941,521  
Examiner J. Chiang  
Art Unit 2642

Inc., the assignee of the instant application by virtue of an assignment duly recorded on the Official record of the United States Patent & Trademark Office;

That the claimed subject matter of the referenced patent application was the subject of a written disclosure prepared after conception, and that the written disclosure was duly submitted for consideration by a patent committee of Motorola Inc.;

That conception date redacted from the written disclosure attached as Appendix I is prior to 31 October 2000;

That on information and belief a patent application was prepared and filed, in due course, in the United States Patent Office on 29 August 2001 by or on behalf of Motorola Inc.;

That all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Tony Kfoury 4/5/04  
Tony F. KFOURY Date

\_\_\_\_\_  
Minh H. DUONG Date

\_\_\_\_\_  
Michael D. HARENG Date

\_\_\_\_\_  
John F. ROBIN Date

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\_\_\_\_\_  
Tony F. KFOURY

Date

Minh H. Duong 24 Mar 2004

Minh H. DUONG

Date

Michael D. Hareng 24-MAR-04

Michael D. HARENG

Date

John F. Robin 24 MARCH 2004

John F. ROBIN

Date

**MOTOROLA INC.**  
 Cellular Subscriber Group

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**DISCLOSURE FOR PATENT COMMITTEE**  
**SUBMITTED PURSUANT TO EMPLOYMENT AGREEMENT**

Inventor(s) will not fill in

Operation Performance (Garrigues)DISCLOSURE NO. CS-20289 DATE [REDACTED]Patent Committee Action  
PURSUEInventor(s) Name(s)  
Duong, Hareng, Robin
**FOR INSTRUCTIONS FOR COMPLETION REFER TO DISCLOSURE INSTRUCTION PROCEDURE**

Inventor must fill in Items 1 thru 12.

Items 2 to 5 may require extra sheets. BE SURE they are signed, witnessed and attached.

1. Name of the invention. (Limit to ten words.)  
Portable electronic device with rotatable keypad.
2. State the problem(s) resolved by the invention.  
See Attachment 1.
3. Describe the invention in detail. Include its operation, purpose, environment and how problem(s) were solved. (Use separate sheets as required).  
See Attachment 1.
4. What new elements (e.g. components, circuits, process steps) or combination of known elements or software algorithm produced the improvement(s) over known technology?  
See Attachment 1.
5. List the closest known technology (attach article, patent, catalog sheet or other documentation).  
See Attachment 1.
6. What are the potential applications for use of this invention?  
See Attachment 2.
7. Conception date [REDACTED] (Attach earliest log sheets, drawings, etc., to support dates).
8. To whom did you first disclose this invention? Name: [REDACTED] See Attachment 2. Date: [REDACTED]
9. Date the device was first built and tested.  
No prototype has been built.

 Present location of the device?  
**DETERMINATION OF LEGAL INVENTORSHIP FOR PATENT APPLICATION MUST BE MADE BY THE PATENT DEPARTMENT.**
**Inventor's signature (IMPORTANT — YOU MUST USE YOUR FULL FIRST, MIDDLE AND LAST NAMES).**

10. Inventor's Full Name: (Type) Minh Hoang Duong	Signature <u>Minh H Duong</u>	Date 10/27/1999	Social Security No. 479-98-8414
Home Address: Street 29737 N. Environ Circle	City Lake Bluff	State IL	Country Zip Code U.S.A. 60044
Citizen of (i.e. U.S., Germany, etc.) U.S.A.	Dept. No. BA470	Phone 847-523-5186	Room No. AS220
	Employee Status <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Contractor		
11. Inventor's Full Name: (Type) Michael D. Hareng	Signature <u>Michael D Hareng</u>	Date 10/27/1999	Social Security No. 392-72-3315
Home Address: Street 1182 Moonstone Run	City Lake in the Hills	State IL	Country Zip Code U.S.A. 60102
Citizen of (i.e. U.S., Germany, etc.) U.S.A.	Dept. No. BA470	Phone 847-523-2480	Room No. AS220
	Employee Status <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Contractor		

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Page 2 — Disclosure No. \_\_\_\_\_

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12. Inventor's Full Name: (Type) John F. Robin		Signature <i>John F. Robin</i>		Date 10/27/1999	Social Security No. 356-58-6833
Home Address: Street 119 North Hudson Street		City Westmont		State IL	Country USA
Zip Code 60559		Dept. No. BA470		Phone 847-650-2602	Room No. AS220
Citizen of (i.e. U.S., Germany, etc.) U.S.A.		Employee Status <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Contractor			

Witness signatures (TWO WITNESSES ARE REQUIRED).

Witness must sign and date this form and all attachments.

THE WITNESSES IN SIGNING THIS FORM ATTEST TO THE FACT THAT THEY UNDERSTAND THE INVENTION.

13. Witness Name: (Type) John Schiessl	Signature <i>John Schiessl</i>	Date 10/27/1999	Phone 523-7287
14. Witness Name: (Type) Kyle Akerman	Signature <i>Kyle Akerman</i>	Date 10/27/1999	Phone 847-523-0568

Items 15 to 25 are to be filled in by the ENGINEERING and MARKETING/PRODUCT MANAGER or equivalent. Use separate sheets as required.

THE MANAGERS IN SIGNING THIS FORM ATTEST THAT THEY UNDERSTAND THE INVENTION.

15. What product will this invention be used in? (No code names — use brief description if necessary) TIGER / CHEETAH XR 2001 PLATFORM PRODUCT
16. When (was) (will) the first offer for sale of a product incorporating this invention (be) made? [Redacted]
17. When is the estimated shipping date? [Redacted]
18. When (was) (will) the first disclosure outside of Motorola (be) made? How and to whom? Nondisclosure agreement signed? State title and date of publication, if any. Not disclosed outside Motorola.
19. What is the market for products incorporating this invention? Be specific and quantitative. 2 M units per month growing to 3 M / month.
20. Who are the potential competitors? What is the possibility this invention will be used by competitors? Which ones? NOKIA ; ERICSSON ; SAMSUNG
21. Did this invention result from work on a development Contract? (YES) (NO) Contract No. X Who was the contracting party? No
22. Discuss the business impact that this invention will have on Motorola. Be specific and quantitative. ADD CUSTOMER / USER FEATURE THAT IS CURRENTLY NOT AVAILABLE.

23. Engineering Managers Name (Type) Z. Azam	Signature <i>Z. Azam</i>	Date 10/27/1999	Dept. No. QA 522	Phone 523-5178
24. Product/Marketing Managers Name (Type) Gregory E. Gower	Signature <i>Gregory E. Gower</i>	Date 10/27/1999	Dept. No. 27712	Phone 523-3898
25. The Manager must determine the security classification of this information. See Personnel Policy #840, and Corporate SOP E60, Protection of Proprietary Information.				

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**Attachment No. 1:****2. State the problem(s) resolved by the invention:**

Facilitates convenient left- and right-hand keypad operation, as well as landscape and portrait viewing of display.

**3. Description of invention:**

The invention is a cellular telephone or other portable electronic device having a keypad and display, in which a pivot mechanism attaches the keypad to the rest of the device, permitting the user to rotate the body of the device into different positions while keeping the keypad in a readable orientation. This permits the user to operate the device with the display in either a "portrait" or "landscape" orientation, or with the keypad above, below, to the right, or to the left of the display, in each case preserving the keypad and the display information in a readable orientation. The axis of rotation envisioned here is orthogonal to the keypad.

This latter feature of preserving the display information in left-to-right readable form is an additional element of the invention, in which the orientation of the displayed information is determined automatically according to the orientation of the keypad. Thus, the orientation of the displayed information is made to match the orientation of the keypad symbols.

**4. What new elements or combination of known elements or software algorithm produced the improvements over known technology?**

A pivot between the keypad and the body of the device is a combination of known elements which is presumed to be new.

Additionally, the feature of determining the orientation of the information displayed as a function of the rotational position of the keypad is proposed to be a new development.

**5. List the closest known technology:**

It is believed that a disclosure presently is being made within Motorola of an invention by which a cellular telephone display is made to be rotatable by the user.

Date:

Date:

Witness:

Witness:

Murphy  
S. J. J.  
John L. J.

**Attachment No. 2:****6. What are the potential applications for use of this invention?**

One application is a cellular telephone having a rectangular display and an adjacent keypad. The keypad assembly is circular, and can be rotated around its axis by the user. Described differently, the keypad can be held in a fixed orientation while the portion of the device containing the display is rotated either to the left or right of the keypad, as well as above or below the keypad.

As a result, the user may select either a portrait or landscape orientation for the display while keeping the keypad in an easily usable orientation.

See Attachments 3 and 4 for examples of one possible application.

**8. To whom did you first disclose this invention?**

The invention was developed jointly by Minh Duong, Mike Hareng, and John Robin during a conversation on

Date: [REDACTED]

Date: [REDACTED]

Witness: [REDACTED]

Witness: [REDACTED]

7/16 2:45 PM [REDACTED]  
[REDACTED]  
John Robin

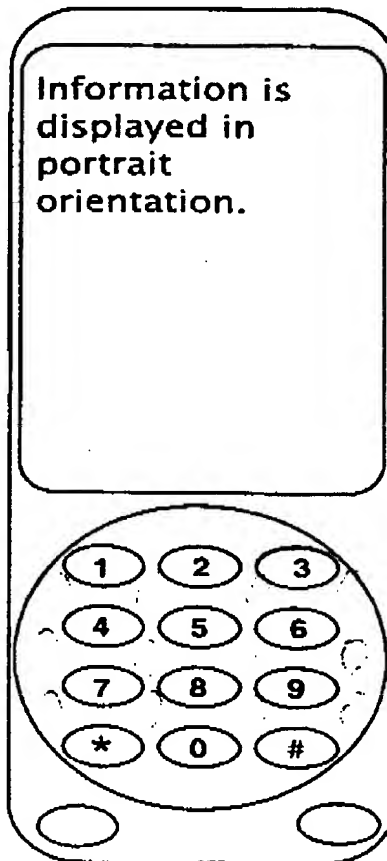
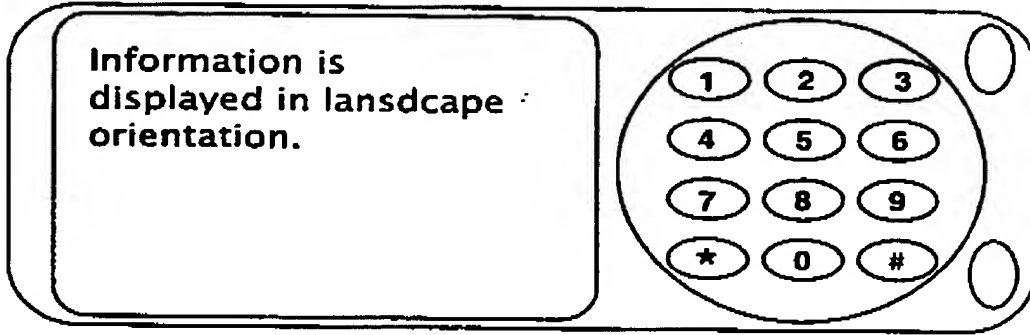
Attachment No. 3:

Date:

Date:

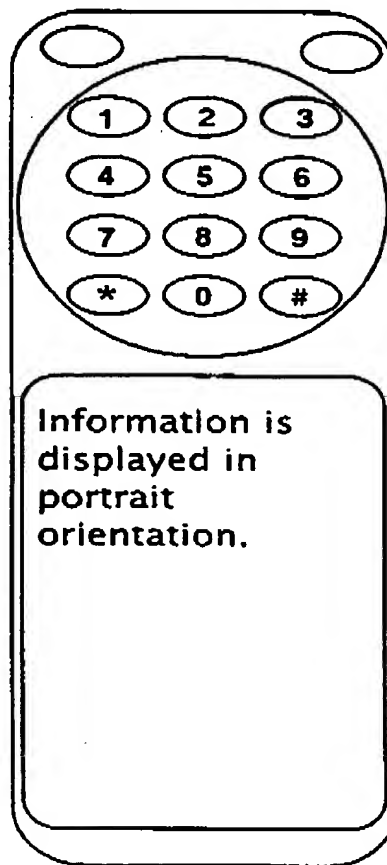
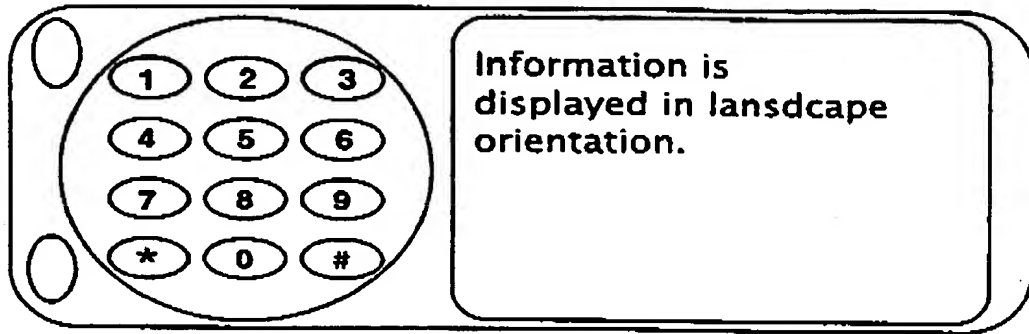
Witness:

Witness:





Attachment No. 4:



Witness: [Signature] Date: [Redacted]  
Witness: [Signature] Date: [Redacted]

7/11/04 10:00 AM  
[Redacted]  
[Redacted]  
[Redacted]